

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|---|---|--------------------------------------|
| IN RE: |) | |
| |) | Case No. 22-20324-GLT |
| DAVID A. GOLUPSKI AND MAUREEN |) | |
| Y. GOLUPSKI, |) | |
| |) | Chapter 11 |
| Debtors. |) | |
| <hr style="width: 40%; margin-left: 0;"/> |) | |
| |) | Document No. _____ |
| THOMAS J. LEWIS AND GEORGETTE |) | Related to Doc No.124, 147, 150, 162 |
| A. LEWIS, |) | |
| |) | |
| Movant, |) | |
| |) | |
| v. |) | |
| |) | |
| DAVID A. GOLUPSKI AND MAUREEN |) | |
| Y. GOLUPSKI; PNC BANK, NA; |) | |
| NEWTEK SMALL BUSINESS FINANCE, |) | |
| LLC; THE OFFICE OF THE LEE |) | |
| COUNTY TAX COLLECTOR; AND FLA |) | |
| DEP'T OF REVENUE, |) | |
| |) | |
| Respondents. |) | |
| <hr style="width: 40%; margin-left: 0;"/> |) | |

**RESPONSE IN OPPOSITION TO EXTEND TIME TO RESPOND TO EXPEDITED
MOTION AND TO RESCHEDULE HEARING**

Movants Thomas and Georgette Lewis (collectively, the “Lewises”), by and through their undersigned counsel, hereby file this response in opposition to the Debtors’ motion to continue the hearing and extend the time to respond to the expedited motion (the “Emergency Motion”) filed for the limited purposes of requesting a Court Order that (i) clarifies this Court’s Order entered September 9, 2022 approving the sale of certain real property, and/or provides relief from the terms of that Court Order pursuant to Rules 71 and 60 of the Federal Rules of Civil Procedure (the “Federal Rules”), as made applicable by Rules 9014, 7071 and 9024 of the Bankruptcy Rules of Procedure (the “Bankruptcy Rules”); and (ii) expressly authorizes the Lewises to pursue their unilateral right to terminate the contract they signed with the debtors and compel the return of their deposit, as set forth under the terms of the

Contract, as defined in aforesaid Emergency Motion.¹

1. On October 27, 2022, the Lewises filed the Emergency Motion.
2. The Court scheduled a hearing for November 3, 2022.
3. The Movants served the Motion and hearing notice on Debtors' counsel on October 28, 2022.
4. On November 1, 2022, the Debtors filed a motion requesting a continuance of the hearing and an extension of the deadline for filing a response on the strength of their desire to use a copy of a written transcript of the September 9, 2022 hearing.
5. The undersigned counsel has a compact disc recording of the hearing that he was able to receive within hours of making the request from the Court.
6. The hearing lasted less approximately 8 minutes, 45 seconds.
7. The undersigned will bring a copy of the disc to the hearing.
8. As noted in the Expedited Motion, the Lewises did not enter their appearance at the hearing, and did not have legal counsel present. See paragraph 12 of the Emergency Motion.
9. At approximately 1 minute 15 seconds into the hearing, counsel for the Debtors indicated that the Lewises were on the Zoom call.
10. Not only was no appearance entered by or on behalf of the Lewises, neither of them made a sound at the hearing.
11. The Emergency Motion was filed on an expedited basis for reasons set forth therein.

¹ The Lewises are not entering their appearance either generally or specifically in this bankruptcy case.

12. The Lewises believe that an extension of time to respond on the strength of an outstanding request for a written transcript of a relatively perfunctory hearing that lasted less than 9 minutes is unwarranted.

WHEREFORE, for all of the foregoing reasons, the Lewises respectfully request that this Court deny the request for an extension of time and a continuance of the hearing.

DATED: November 1, 2022

Respectfully submitted,

STONECIPHER LAW FIRM

/s/ Ronald B. Roteman

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